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NSC STAFF FOR SINGH

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SUBJECT: COURT RULING AGAINST NEWSPAPER EDITOR IBRAHIM EISSA

Classified by Deputy Chief of Mission Stuart E. Jones for reasons 1.5 (b) and (d).

¶1. (C) Ibrahim Eissa, editor-in-chief of the independent weekly Al Dostour, and Sahar Zaki, a journalist for the same paper, were each sentenced on June 27 to one year in prison on charges of "publishing false news, insulting the President of the state and spreading controversial propaganda offending public security". According to press contacts, a conviction for insulting the president is unprecedented in Egyptian legal history. On April 5, 2006, Al Dostour published an article (authored by Zaki) concerning a citizen's lawsuit against President Mubarak, his son, and other senior GOE officials for allegedly "wasting the country's resources" by selling off state assets and squandering foreign aid. Eissa and Zaki are currently free on bail of 10,000 LE, pending the results of an appeal.

¶2. (C) On June 28, the Press Syndicate issued a statement condemning the sentence and the activation of "dormant legislation" which provides for charges to be issued for insulting the Egyptian leadership. Opposition newspapers and commentators have been critical of the ruling. Al Misry Al Yom editor Hisham Kassem agreed that there has not been the same outrage among the press and democracy advocates as has been generated by other cases. He guessed many journalists may feel that Eissa may have exceeded the boundaries of propriety. Other journalists may be jealous that Eissa had the courage to break new ground in reporting about the first family. Kassem found these views lamentable and hoped journalists would rally further in support of Eissa (Note: We spoke with Kassem prior to the Press Syndicate's statement being issued. End Note). Democracy advocate Saad Eddin Ibrahim characterized the verdict as a "mopping up exercise"; "They are going after their critics". He suggested there might be further prosecutions.

¶3. (C) COMMENT: Court cases against members of the press are not a new phenomenon in Egypt, and Egypt's libel laws are routinely applied against journalists across the political spectrum; in 2003, Mustafa Bakry, editor of the reactionary nationalist (and stridently anti-American) tabloid Al Usbuaa, was jailed in 2003 for allegedly libeling the Minister of Agriculture. Currently ongoing, in addition to the suit against Eissa, is the case of Wael al Ibrashy, editor of the sensationalist weekly Sawt Al Umma, who published a "blacklist" of judges allegedly complicit in electoral fraud. Interestingly, the Eissa verdict comes just as Parliament considers a new journalism law that would eliminate jail sentences for journalists convicted for the content of their reports. It is too early to say whether this will be another bellwether case for the democracy movement in Egypt. Like Ayman Nour, Eissa has some unattractive aspects. He is regarded as a gifted journalist, who colors outside the lines. We recommend that U.S. statements draw attention to the severity of the sentence and note the requirement in any democracy to allow journalists to criticize their government

and its leaders.
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